

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265)	
WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 05 C 4798
)	
JM HVAC, INC., a dissolved corporation,)	JUDGE MARVIN E. ASPEN
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on October 27, 2005, request this Court enter judgment against Defendant, JM HVAC INC, a dissolved corporation. In support of that Motion, Plaintiffs state:

1. On October 27, 2005, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over contribution reports. The Court also entered an order that final judgment would be entered after the Plaintiffs received the required reports and determined the amount due from Defendant.
2. In May 2006, Plaintiffs' counsel received Defendant's fringe benefit contribution reports for September 2004 through August 2005. Thereafter, the Defendant submitted its reports for June 2004 through August 2004. The contribution reports show that the Defendant is delinquent in contributions to the Funds in the total amount of \$15,319.80. (See Affidavit of Scott P. Wille).
3. Additionally, the amount of \$1,531.99 is due for liquidated damages. (Wille Aff. Par. 5).

4. In addition, Plaintiffs' firm has expended the total amount of \$4,320.00 in attorneys' fees and \$1,137.51 in costs, for a total of \$5,457.51. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$22,309.30.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$22,309.30.

/s/ Beverly P. Alfon

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com

I:\265J\JM Hvac\2005\motion for entry of judgment.bpa.df.wpd

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 4th day of January 2007:

Mr. John Anthony Barnes-Morrison, Registered Agent
JM HVAC, Inc.
5013 Country Oaks Drive
McHenry, IL 60050

/s/ Beverly P. Alfon

Beverly P. Alfon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: balfon@baumsigman.com

I:\265\JM Hvac\2005\motion for entry of judgment.bpa.df.wpd